

CITY OF BELLEVUE
BELLEVUE PLANNING COMMISSION
MEETING MINUTES

July 9, 2014
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Laing, Commissioners Hamlin, Tebelius, Walter

COMMISSIONERS ABSENT: Commissioners Carlson, Hilhorst, DeVadoss

COUNCIL LIAISON: Councilmember Stokes

STAFF PRESENT: Paul Inghram, Scott MacDonald, Andrew Kidde,
Department of Planning and Community Development;

GUEST SPEAKERS: None

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:33 p.m. by Chair Laing who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioners Carlson, Hilhorst and DeVadoss, all of whom were excused.

3. PUBLIC COMMENT

Ms. Irene Fernandz, 1705 146th Avenue SE, thanked the city's code compliance staff along with Principal Planner Mike Bergstrom and Land Use Director Carol Helland for the new draft of permanent regulations for controlling single-room rentals in single family neighborhoods. She said she and her neighbors had read the draft and were pleased with the new definition of rooming houses and the statement that rooming houses will not be allowed in single family neighborhoods but will be allowed in multifamily and mixed use land use districts.

Mr. David Payter, 1614 144th Avenue SE, supported the comments made by Ms. Fernandz and praised the draft language, especially the restrictions on rooming houses to multifamily and mixed use. Clearly city staff have heard the testimony from the public regarding the impacts single-room rentals have on single family neighborhoods.

Mr. Steve Kasner, 1015 145th Place SE, welcomed Commissioner Walter to the Planning Commission. He noted that he had worked with her as a neighborhood activist. He said the Comprehensive Plan should be the controlling document and neighborhoods should be what they are intended to be. He thanked the Commissioners for their hard work.

Mr. Ron Merck, 14824 SE 18th Place, highlighted the comment made that the administrative conditional use must be consistent with the Comprehensive Plan. He noted that after suggesting

to staff that the application for a single family home that eventually will turn into an assisted living was not consistent with the Comprehensive, he was told by staff that they do not pay any attention to the Comprehensive Plan. He said he found that quite disturbing. An awful lot of time is spent talking about the Comprehensive Plan and the staff comment was out of sync. He referred to the provision for amortization of certain legally established uses and leases that do not conform to the permanent regulations and said he would like to know who controls the amortizations and how. He said he would like to know what constitutes proof of familial relationships. He said he also would like clarification of what is meant by allowing the rental of an entire dwelling to a self-identified group, all unrelated, or some combination of related/unrelated persons.

Comprehensive Planning Manager Paul Inghram explained that where a state law requires the city to do something, which is the case with adult family homes, Comprehensive Plan policy direction can be overruled. Chair Laing added that generally speaking, permitting activity involves compliance with the underlying zoning and design guidelines; to the extent there is a conflict between the zoning or the design guidelines and the Comprehensive Plan, which there should not be, the zoning or the design guidelines trump the Comprehensive Plan.

Ms. Kathleen Bell, 1409 159th Avenue SE, voiced concern over how the single-room rental ordinance would apply to someone with a large house choosing to have a non-romantic roommate who might from time to time invite someone over. She said she does not want to live in fear that her neighbors will start monitoring all activities at her home and report her. Home ownership should afford some rights, privileges and freedoms.

Ms. Meredith Robinson, 3070 124th Avenue NE, said she had just earlier in the day heard about the single-room rental issue. She said she is the owner of a six-bedroom house and recently took on a couple of tenants to help make ends meet. She said she registered with the city and will be paying the business and occupation tax to the city on the tenant income. She said she is a single mother with a special needs child whose access to special education services is predicated on her Bellevue address. There are probably other women in similar circumstances in the city who face the economic reality of rising rents. Employers are bringing in people from out of the area to fill the available jobs and those people will need to find housing. It is reasonable to expect the city impose reasonable regulations and to tax the income generated from single-room rentals, and it is reasonable for the city to direct the property owner to accommodate tenant parking. The city should not, however, put limits on the number of persons who can occupy a house without first knowing how many rooms and bathrooms the house has.

Commissioner Tebelius asked Ms. Robinson if her intent is to rent out each of her six bedrooms. Ms. Robinson replied that she would like to have three tenants. She said in addition to six bedrooms her house has four bathrooms. Two of the bedrooms are in basic mother-in-law apartments.

4. APPROVAL OF AGENDA

A motion to approve the agenda was made by Commissioner Tebelius. The motion was seconded by Commissioner Hamlin and it carried unanimously.

5. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None

6. STAFF REPORTS

Mr. Inghram reported that at its meeting on July 7 the City Council adopted the Transit Master Plan. They recognized the Planning Commission for its work on the plan.

7. STUDY SESSION

A. Single Family Rental Housing Code Amendments

Mr. Bergstrom said the comments made by the public make it clear that there are all manner of different living situations with different combinations of people occurring in the city. He reminded the Commissioners that the proposed code amendments deal only with the issue of individual-room rentals where the property owner is not present. Property owners who want to rent out a couple of rooms in their houses are free to do so provided they live in the room; the practice is called a boarding house and up to two rooms can be rented out, parking must be made available, and a home occupation permit is required.

Mr. Bergstrom noted that the Council will be conducting a public hearing on August 4 to extend the interim regulations for a six-month period. Once the permanent regulations go into effect, the interim regulations will be repealed. The interim regulations limits the number of unrelated persons from six to four within the definition of family. The interim regulations allow more than four unrelated persons to share a house provided they operate as a functionally equivalent family. The draft ordinance that was before the Commission on May 28 retained the limit of four unrelated persons but dropped the functionally equivalent concept and proposed adding high-occupancy dwelling allowing five or more unrelated persons through an administrative conditional use permit.

Continuing, Mr. Bergstrom commented that based on feedback from the Commission and the community the determination was made to take a step back and determine what the permanent regulations are intended to accomplish relative to single-room rentals, which the new draft refers to as rooming houses. A definition of family is included in the new draft ordinance that allows a maximum of six persons unless all of them are related; the current code defines family as any number of related persons plus up to X of unrelated persons, and the family is counted as one toward the maximum. The problem with that is that any one of the unrelated persons could have people who are related to them and they would only be counted as one, resulting in a large accumulation of persons that in theory would only count as four or so. Under the proposal, a family of eight could not add in another unrelated person because the limit of six has been exceeded. The proposal places no restrictions on traditional families renting homes. Self-defined groups of unrelated individuals are limited in the proposal to a maximum of six persons operating under a single lease and living together as a single housekeeping unit. The draft also includes a definition for single housekeeping unit.

Under the current regulations, property owners are permitted to rent out one or two rooms as a bed and breakfast or boarding house, provided the property owner occupies the house. No changes are proposed to those standards or to the process for allowing them, which is a home occupation permit, which by definition is a business operated in a home. The draft defines a rooming house as a non owner-occupied dwelling that is rented to individuals on an individual room basis. The standards applied to the use are similar to those applied to the high-occupancy dwelling that was outlined in the previous draft, including not allowing them in multifamily and mixed use districts only, except that the downtown area is excluded given that the use must also

be located in freestanding single family dwellings, of which there are very few in the downtown. Rooming houses as defined are subject to a maximum number of rooms and/or people. The draft allows the use through an administrative conditional use permit, and revises the definitions for bed and breakfast and boarding house to reflect owner occupancy, and rooming house is excluded from those terms. The draft also revises the definition of family to mean six persons total unless all are related; discards the functional equivalent concept; creates a new definition for single housekeeping unit; and provides for amortization of legally established uses that do not conform to the proposed regulations.

Mr. Bergstrom noted that allowing the rooming house use only in single family dwellings in multifamily or mixed use districts will drastically reduce the number of opportunities. The draft sets a limit on the number of rooms that can be rented out and the number of persons rooms can be rented to, and dictates that all rooms rented must be legally established bedrooms. A local owner, landlord or registered agent must be identified. Legal on-site parking must be provided equal to the number of bedrooms rented. The draft includes provisions for exterior property maintenance and refuse collection.

Commissioner Hamlin asked why the draft should require a local owner when neither the landlord or registered agent would need to be. Mr. Bergstrom said the underlying notion is that there needs to be a responsible party that is readily findable. The name of the owner, landlord or registered agent will be attached to the administrative conditional use permit and will become the responsible party in the event of a land use violation. He clarified that the intent is for the responsible party to be local whether it be the property owner, the landlord or a registered agent. Commissioner Hamlin suggested rewording that section to make that point clearer.

Mr. Bergstrom said as part of the administrative conditional use review the city can impose conditions to address impacts on the residential character of the neighborhood or the cumulative impacts in relation to other city approved rooming houses.

Chair Laing asked how the requirements for a local owner, landlord or registered agent differ from the requirements for an apartment complex. Mr. Bergstrom said there is no such requirement for apartment developments.

Answering a question asked by Commissioner Tebelius, Mr. Bergstrom said the key to the new draft ordinance is that the rooming house use would no longer be allowed in single family districts. However, because even in multifamily and mixed use districts the use can have impacts, the associated restrictions and requirements are necessary.

Commissioner Walter noted that she has been active in the Spiritwood neighborhood on the single-room rental issue. She said while she came to the Commission with a particular view regarding the issue, she can be completely impartial with regard to the overall issue. Chair Laing thanked Commissioner Walter for disclosing that fact.

Commissioner Hamlin commented that the new draft regulations generally are on the right track. He said they are somewhat simpler. He said he was not completely clear as to how the current violations in the single family areas will be addressed. He said his preference would be to set the limits at four rooms and five persons to allow for the possibility of a couple renting a single room. He agreed there should be a registration and permitting process.

Commissioner Walter agreed that the proposed regulations generally take the right approach.

She called attention to section 20.20.700.B in Attachment A and suggested the word "may" should be replaced with "shall" or "will." The other Commissioners concurred.

Commissioner Walter asked if staff had any concerns about testing family relationships. Mr. Bergstrom said the term related as used in the draft refers to marriage, adoption or blood. In the case of an enforcement action, the city would need to ask for proof. Mr. Inghram said the filing of a complaint by a member of the public would trigger some level of investigation aimed at determining if there is some level of reasonable cause to proceed with enforcement.

Answering a question asked by Commissioner Walter, Mr. Bergstrom said remodeling work requires permits, and that is the stage the city checks to make sure all proposed work will meet current codes. Under the code, all bedrooms must have windows of a certain size, must have closets, and must have their own access.

Commissioner Walter said if including a requirement for an administrative conditional use permit, which takes up to six months to process, means people will just find ways to operate until getting caught, the requirement should be left out. She said something like the home occupancy permit, which is far less onerous, would be better.

Commissioner Tebelius said the proposed regulations are getting very close to where they need to be. She noted especially her support of limiting rooming houses to multifamily and mixed use districts. The maximum number of rooms and unrelated occupants should be four. She asked if there is a permitting process other than administrative conditional use that would allow the city to gather all the needed information from the applicant but in a shorter period of time. Mr. Bergstrom said there is no such permitting process in place; one would have to be created. The home occupation permit would not work in instances where the home is not owner occupied, and the criteria for home occupation uses are much different.

Councilmember Stokes asked if staff had any information about the number of homeowners in the city who currently rent out a room or two. Mr. Bergstrom said the city does not have any reliable information in that regard. Technically, those who choose to take in a student for a quarter should register as a boarding house and obtain a home occupation permit, but enforcement would be by complaint only and there has never been such a complaint filed. Councilmember Stokes asked what the cost of obtaining an administrative conditional use is for the applicant. Mr. Bergstrom said the applicant must put down deposits that add up to about \$3000; staff time is billed against the deposit and the amounts not used are refunded.

Chair Laing praised the staff for the exceptional materials and presentation. He agreed the draft is moving in the right direction and said he was particularly impressed with the definition of rooming house and the notion of not allowing them in single family districts. In order to avoid some of the gaming, however, the rooming house definition should include a reference to a non owner-occupied dwelling unit that is subject to multiple leases. With regard to the maximum number of occupants, he said he liked the notion of limiting it to the number of bedrooms plus one given that it would not be inconceivable that a couple might want to rent a single room. Referring to section 20.20.700 A he suggested all references to "will" and "may" should be changed to "should," and paragraphs one through three should simply be part of the definition or footnotes describing the use.

He suggested that in place of requiring the onerous administrative conditional use process it would be better to incorporate the various restrictions and allow the use outright.

Commissioner Tebelius asked how that approach would address the need to collect contact person information. Chair Laing suggested it should be possible to obtain that information outside of the administrative conditional use process. Conditional use is more of a process than anything else; the city could simply elect to allow the uses outright provided a list of specific criteria are met and the results would be the same. At the end of the day, an ordinance is not needed for those who are technically breaking the letter of the law but who are not causing any problems. There is a lack of accountability. The complaints that have been registered have not been predicated on having six unrelated persons sharing a home but rather because of what those people have done.

Commissioner Tebelius suggested the same argument could be made about those who are cooking meth: their actions do not matter to anyone until they blow up the house.

Mr. Inghram agreed that many of the criteria listed in the draft could be written as standards applicable to a permitted use, or they could be written to be conditions to be fulfilled through the administrative conditional use.

Commissioner Hamlin said his preference would be for a less onerous process provided all identified issues can be addressed. The other Commissioners concurred.

There also was consensus around the notion of limiting the number of rooms to four and the total number of occupants to four plus one.

Chair Laing asked if there is a need to be careful in drafting the rooming house definition to certain the use will not be confused with group homes. Mr. Bergstrom said the bed and breakfast and boarding house definitions are clear in that they do not include rooming houses. Where the protected classes come into play is in the definition of family, which has been defined. As such it is not necessary to say a rooming house is also not a boarding house, a fraternity or an adult family home.

There was consensus to schedule the issue for public hearing on September 10.

B. Comprehensive Plan Update

Mr. Inghram briefly reviewed the work to date done to update the Comprehensive Plan.

Assistant Planner Scott MacDonald noted that the Commission had previously directed staff to review the policies in the Urban Design Element with a focus on extracting their general intent and redrafting them to be simpler and broader. He sought feedback on the draft policy language and identification of those areas in need a more effort.

Mr. MacDonald said the Urban Design Element is intended to define the citywide character and to guide the design of both public and private development. It also supports the arts and arts programs in the city as well as historic preservation. The element should respond to the evolution of the city as it grows from being a bedroom community to having a top-notch downtown to having a full city landscape with growing mixed use areas with a new emphasis on the pedestrian experience. There is a desire to elevate the arts policies and house them in a separate section. There has also been discussion regarding changing the name of the element to something like Community Character to better reflect its intent.

Mr. Inghram pointed out that one of Bellevue's longstanding vision points has been being the arts and culture center of the Eastside. The Urban Design Element is the part of the Comprehensive Plan that speaks to that notion, but it tends to get lost in the name of the element and the element's primary function of serving as the design review guide. Creating a new and separate chapter for arts and culture would certainly allow those policies to stand on their own. Urban design and the arts certainly work together and should possibly be housed together in the Comprehensive Plan as they are currently, but there should be recognition that the Urban Design Element is about more than just building design.

Commissioner Hamlin said he liked the idea of changing the name of the element to community character. It is less of a planning title.

Commissioner Walter suggested that community character as a title could be taken to mean just about anything. She said something like community design would be more appropriate.

Commissioner Tebelius said she knows what urban design means but not what community character means at first blush. She said her preference would be to retain the current title for the element.

Chair Laing voiced his preference for community design over urban design. The word urban connotes the downtown more than the city as a whole. The vast majority of the city would not fall under the definition of urban.

Mr. MacDonald referred to the table in the packet and pointed out that it included a number of new policies, including policies that address solar panels and their role in the design and construction of buildings; various environmental policies that address things such as green roofs and green walls; blank walls from the perspective of the pedestrian experience; and arts and arts programs.

Mr. Inghram explained that blank walls are permitted in areas where buildings can be constructed immediately adjacent to each other. However, some policy direction is needed relative to the design of blank walls to assure they will have some design character.

The Commissioners worked their way through the policy matrix line by line. With regard to line 2, Policy UD-19, Commissioner Tebelius argued against using the word "enhance," and for retaining the language of the current policy.

Commissioner Hamlin noted his support for the proposed language that includes the word "enhance."

Mr. Inghram asked if it would be better to include language clarifying that it is the city working to enhance the tree canopy. Commissioner Tebelius said she could accept that approach in that the onus would be on the city rather than individual property owners.

Commissioner Walter questioned why the language was changed from referencing preserving trees to preserving the tree canopy. Mr. Inghram explained that over the last few years the focus has changed from focusing on individual trees to preserving the cumulative effect of the tree canopy. Commissioner Walter commented that trees planted down a boulevard do not constitute a tree canopy. The tree canopy is only one facet of preserving trees.

Chair Laing voiced support for the suggestion of Mr. Inghram to make it clear enhancement efforts will be done by the city.

There was agreement to retain the current policy language.

With regard to line 3, Policy UD-20, Commissioner Walter noted that since the policy is intended to replace line 4, Policy UD-22, the word "encourage" should be changed to "foster and value." There was consensus to make that change.

Commenting on line 6, Policy UD-24, Commissioner Tebelius suggested the city has already taken aggressive steps to protect waterfronts and make them more accessible to the public through the Shoreline Master Program and the critical areas ordinance. She proposed deleting the policy.

Commissioner Hamlin agreed the language is a bit strong and agreed it could be eliminated. Chair Laing and Commissioner Walter concurred as well.

Commissioner Tebelius reiterated that "sense of place" is not an easily understood term. She asked if it refers to meeting places and the like. Mr. MacDonald said it refers more to general identity and unique attributes. Mr. Inghram said the original policy language was focused on entry designs, such as gateways to neighborhoods. Over the last decade or so, however, the focus has changed to elements other than entry signs and the proposed language seeks to broaden the intent to promoting a sense of identity for neighborhoods.

Commissioner Hamlin suggested the proposed policy language is broadened to the point of losing the original focus.

Commissioner Tebelius noted that the current language calls out signs and landscaping in keeping with the character of the neighborhoods. Mr. MacDonald suggested the current policy limits the applications neighborhoods and designers can come up with to just those two elements, whereas the broader language proposed could include public art, light standards and other elements.

Commissioner Hamlin commented that the updated language should retain a tie to residential identity. As drafted the language can be interpreted to be much broader.

Mr. Inghram said the revised language primarily seeks to get rid of the "such as" statement. The current language is really about incorporating entry designs for residential neighborhoods. The proposed draft language seeks to broaden the policy to make it clear that it is all about neighborhood identity. He allowed that staff could take another stab at blending the old and the new together in a way that retains the original intent. The Commissioners agreed to direct staff to do that.

Chair Laing argued in favor of including the word "enhance" in line 9, Policy UD-63. The cities corridors have been largely denuded of vegetation and some enhancement is needed. There was agreement to make the change and to also substitute the word "landscape" for "vegetation."

With regard to line 11, Policy UD-66, Commissioner Walter suggested the proposed language is too vague. She agreed with the need to delete "especially those that are older" but held that the

proposed language is not specific enough.

Mr. MacDonald suggested the phrase "in need" allows for flexibility and for being more site specific. Chair Laing argued against use of "in need" to avoid the negative connotation of identifying neighborhoods as being in need. He suggested going with the proposed language absent "in need."

Commissioners Tebelius and Walter proposed retaining the current policy without the phrase "especially those that are older." Mr. Inghram asked if their recommendation included retaining the "such as" statement to provide clarity. Commissioner Walter said that would be her preference because it might benefit those reading the policy.

Chair Laing commented that examples were included in the packet showing how the policies will ultimately be formatted. He said he found the information to be very helpful, particularly the example of who images will be incorporated with the text. He suggested the format argues in favor of shorter policy statements. Commissioner Tebelius pointed out, however, that from a legal standpoint it is all about the words and any images that get incorporated will not really matter.

There was agreement to adopt the suggestion made by Commissioners Tebelius and Walter.

Focusing on line 13, Policy UD-69, Chair Laing suggested that as worded one could conclude it references the impacts of views, building scale and land use. Mr. MacDonald said that was the intent and proposed clarifying that by having the last part of the policy read "considering the through-traffic, view, building scale and land use impacts."

Commissioner Walter asked if the policy should be broadened to include all of the city's commercial and mixed use centers rather than just the downtown. Mr. MacDonald pointed out that the downtown is unique in that it faces circumstances the other commercial and mixed use areas do not. As such it is not always necessary to fold in references to all commercial and mixed use areas wherever the downtown is mentioned. Commissioner Walter argued that in fact the plans for the city include some robust commercial and mixed use areas that should have the same harmonious flow with adjacent neighborhoods as the downtown has. There was agreement to revise the policy to read "develop a functional and attractive Downtown and other mixed use centers...."

Chair Laing proposed adding the word "safe" to line 14, Policy UD-73 to have it read "enhance and support a safe, active, connected and functional...." There was agreement to make the change.

Turning to item line 15, New-1, Commissioner Tebelius questioned whether the city should be involved in encouraging art and arts programs that create understanding and respect among the city's diverse population.

Commissioner Hamlin commented that diversity is both good and healthy and the policy language honors that fact. Encouraging art and arts programs that create respect is certainly a legitimate thing for the city to be involved in.

Mr. Inghram noted the Commission had previously had discussions about diversity and its increasing social relevance in the community. The discussions have centered on how to

encourage and support diversity in a healthy way and not in a way that mandates or sets quotas. The policy does not dictate that the city will fund all art programs but rather calls for encouraging them as a way of addressing diversity.

Commissioner Walter suggested that line 16, Policy UD-36, is very similar to New-1, but would be differentiated if the word "culture" were added to New-1.

Commissioner Tebelius observed that none of the policies are aimed at encouraging art and arts programs that celebrate the American culture. Commissioner Walter commented that art certainly is a good way to bring cultures together. The city's diversity is changing and participating in arts and culture activities brings people together and helps them understand one another, and that certainly is a role the city should play.

Chair Laing suggested "support" and "encourage" are two different concepts. He said for the city to encourage art and arts programming would be different from saying the city should support them. He agreed with Commissioner Walter that the city should be encouraging art and arts programs but said he would avoid using "support" like in New-2 in that it could imply funding on the part of the city.

Commissioner Hamlin indicated his support for policies New-1 and Policy UD-36 as proposed.

There was agreement to revise the language of proposed New-1 to read "...the city's culturally diverse population."

Chair Laing called for replacing "support" with "encourage" in line 17, New-2 and line 18, New-3.

Commissioner Tebelius said she did not understand what New-3 even means. Mr. MacDonald said it is intended to broaden support for arts programs beyond just the entry level to include all skill levels. Mr. Inghram added that the target of the policy is arts education, which is different from the purchase and installation of public art. Giving people the opportunity to engage in arts education is common in the city in the school districts, in the Bellevue Youth Theatre, and in the community centers. Commissioner Tebelius said in her opinion the city should not be in the business of providing art education.

There was consensus to change "support" to "encourage."

Commissioner Tebelius commented that the line 19, Policy UD-35, line 20, Policy UD-37, and line 21, New-4, all seem repetitive. She said her desire not to see the city involved in arts programming or education extended to the three policies. With regard to New-4 specifically, she argued against singling out one group of people to support, namely artists and arts groups. There are people in all manner of work categories, including lawyers and accountants, that are struggling but there are no policies aimed at supporting them. Mr. Inghram allowed that the general notion of supporting art and arts programming is a competitive theme running through the policies in the arts and culture section. Each specific policy, however, is intended to cover the facets of the city's art program that is addressed by the Bellevue Arts Commission. The Arts Commission actively and on an annual basis supports artists and arts groups in the city.

Commissioner Tebelius argued against using the word "expand" in line Policy UD-37, and against supporting a variety of artwork in public places as outlined in Policy UD-35. She noted

that nothing is said about what the art is, who will pay for it, and where it should be sited.

Commissioner Hamlin said the word "support" does not automatically translate into "mandate." He voiced his support for Policy UD-35, Policy UD-37 and New-4 as proposed. Commissioner Walter agreed and added that "support" does not always mean financial support.

Mr. Inghram pointed out that the policies are focused on the arts program that is in place. The program is endorsed by the City Council and has been for many years, and the Council has shown no inclination toward doing away with the program. The Commission can make its own recommendation, but it should be remembered that the City Council supports and funds the program that supports public art, supports buying art to expand the public art collection, and supports artists and arts groups.

Chair Laing indicated his support for the proposed language of Policy UD-37. He said his preference with regard to Policy UD-35 would be to strike out "to build community and transform the character of a place from the ordinary to the special" as unnecessary.

Commissioner Tebelius asked staff to explain line 24, New-5. Mr. MacDonald said the creation of iconic visual reference points is tantamount to creating places that are easily recognizable. The pond in Downtown Park and Compass Plaza are both iconic visual reference points.

Chair Laing said it was his belief that the iconic visual reference points will sometimes be created by the city and sometimes by private development. He proposed revising the policy to read "Encourage the creation of iconic visual reference points...."

Commissioner Walter suggested the notion of building design avoiding stark spaces should be utilized in one of the policies. Mr. MacDonald commented that it could be easily incorporated into line 22, Policy UD-1. There was agreement to do that.

Answering a question asked by Commissioners Tebelius and Walter about why the reference to water had been deleted from line 28, Policy UD-13, Mr. MacDonald said the intent was to broaden the tools available to designers and to avoid just focusing on water.

With regard to line 29, Policy UD-21, Commissioner Walter suggested replacing "promote" with "invite," "encourage," "welcome," "beckon" or "allow."

Chair Laing proposed rewording the policy to read "Integrate high-quality inviting public and semi-public open spaces into major development." Mr. MacDonald suggested the term "major development" is relatively vague and difficult to accurately define. Chair Laing commented that projects of a sufficient scale can absorb including publicly accessible open spaces; not all development can do that. One way to address the issue would be to replace "integrate" with "encourage."

There was consensus to word Policy UD-21 to read "Encourage the integration of high-quality and semi-public open spaces into major development that invite people to use them."

Chair Laing proposed having line 32, Policy UD-8, read "Integrate rooftop mechanical equipment screening with building architecture." The Commissioners agreed.

With regard to line 33, New-6, Commissioner Walter noted that because solar panels are a new

technology the word "foster" should be used in places of "encourage." She said fostering can be achieved through training, education and promotional materials. Mr. Inghram added that the city is set to launch a solarize Bellevue campaign that is aimed at fostering the use of solar.

Chair Laing questioned what "other environmental technologies" as used in New-6 means. Mr. Inghram said solar panels and green roofs were not issues ten years ago. It is likely that in the future there will be new techniques come along that the city will want to encourage people to do, but those techniques cannot be spelled out because no one knows yet what they are. Chair Laing proposed referring to them as "other renewable energy technologies." Commissioner Tebelius said she would prefer to use "energy efficient technologies" and the Commissioners accepted her suggestion.

With regard to line 34, New-7, Commissioner Walter expressed concern about the aesthetics of green roofs with concrete and glass. They need to be well designed. She said she would prefer to see the policy deleted. At the very least the policy should encourage aesthetically pleasing green roofs in keeping with the character of the building.

Chair Laing said it has been his experience that green roofs are massively expensive and do not reduce heating and cooling costs. They can be successful in slowing the rate of runoff from buildings. He said he would be happy to see the policy deleted.

Commissioner Hamlin indicated his support for the policy.

Mr. MacDonald observed that beyond the technology and the costs and their ability to reduce runoff, green roofs offer benefits for building tenants and improves the view for tenants of nearby buildings. A green wall adds a great deal of interest to the pedestrian experience.

Chair Laing said he could accept having the policy read "Encourage green roofs and green walls where they may enhance the character of Bellevue as a city in a park." There was consensus to accept the suggestion.

Chair Laing suggested the word "provide" should be replaced with "encourage," and the word "viewable" should be replaced with "visible" in line 35, New-8. He said there are instances where it would make no sense at all to gussy it up because the building next door will also have a blank wall.

Chair Laing commented that the draft language in line 37, Policy UD-11, is going in the wrong direction in terms of keeping things at the policy level. He also suggested the term "~~rain cover~~" would be broader as "weather protection." be used instead of "rain cover."

Commissioner Hamlin said he would be okay with "encourage" but said he saw no need to change "rain cover." He pointed out that such changes would take the policy back very nearly to where it is currently.

Chair Laing proposed having the policy read "Encourage both weather protection and access to sunlight in pedestrian areas using architectural elements." The Commissioners concurred.

Commissioner Walter suggested changing the first part of line 38, Policy UD-39, to read "Include clearly visible and accessible walkways...." The Commissioners agreed to make the change.

With regard to line 39, Policy UD-9, Commissioner Hamlin highlighted the issue of service docks that can be seen from public areas. He said they are often ugly and should be added to the policy as something for which the visual impact should be reduced. There was agreement the policy should read "Reduce the visual impact of parking lots, parking structures and loading docks to public areas...."

Commenting on line 40, Policy UD-12, Commissioner Walter suggested that excessive glare from building glass should also be minimized. Mr. Inghram agreed to raise the issue with some of the architects on staff if the notion could be added to the policy without effectively banning glass buildings.

With regard to line 46, Policy UD-70, Commissioner Tebelius asked what the reason was for the change in language given that in essence the proposed policy language is the same as the existing policy language. Mr. MacDonald said policies are supposed to lead with an action word. Additionally, he said the policy has been broadened to include urban design elements. Mr. Inghram said any time a single family neighborhood is adjacent to a commercial area, the commercial area must provide a 20-foot landscape buffer. The same is true in the downtown in the perimeter districts. The requirements are an outgrowth of the policy. Commissioner Tebelius accepted the proposed language change.

Chair Laing pointed out that "through connections" should read "through-block connections" in line 47, Policy UD-72. There was agreement to make the change.

Commissioner Tebelius asked what impact line 48, Policy UD-74, has had. Mr. Inghram said as a matter of policy the city does not allow signs on the upper parts of buildings, though there have been specific exceptions allowed. He said the intent of the proposed policy language is to clean up the wording more than to change the policy direction. He allowed, however, that a change in focus aimed at limiting signs and ensuring design compatibility rather than discouraging them would be in order.

Commissioner Hamlin agreed the focus should be on limiting rather than discouraging in the policy language.

Commissioner Walter suggested the use of bright colors in signs would hurt the skyline and should not be allowed. Chair Laing noted that the design guidelines require signs to be below the top of buildings. Mr. Inghram added that there are also lighting limitations on signs.

There was agreement that the policy should in fact be housed in the signs and wayfinding section.

Commissioner Tebelius asked if the focus of line 59, New-10, is on all buildings and homes. Mr. Inghram said it probably is. The city provides educational materials to homeowners and builders. He allowed that "encourage" could be used in place of "promote" and the Commissioners concurred.

With regard to line 66, Policy UD-33, Commissioner Hamlin commented that in many public spaces there is a bad wind effect. It is really bad at the transit center. He suggested that as public spaces are created consideration should be given to wind effect. Mr. Inghram allowed that there may be a way to include the issue in Policy UD-33.

Chair Laing agreed and suggested the problem is such that it would warrant a standalone policy addressing it.

Addressing line 70, Policy UD-38, Commissioner Tebelius commented that nothing is worse than running on cement. She asked if asphalt sidewalks could be considered instead of concrete. Along SE 26th Street everything from the pine trees falls on the cement sidewalk and gets blown into the street from where it washes into the gutters and flows out into the lake. Porous asphalt or some way to capture the runoff debris would improve things greatly. Mr. MacDonald added that the roots of street trees often conflict concrete sidewalks by pushing them up in a search for water. He said the city has given notice to proceed with a study aimed at developing a toolkit of options to address and solve those issues.

Mr. Inghram suggested the issue of porous asphalt or other approaches would better serve as a policy separate from Policy UD-38. He said he would take the issue back to staff for suggestions of how to address it.

There was agreement to use the word "walkways" in place of "circulation" in line 76, Policy UD-43.

A motion to extend the meeting by 15 minutes was made by Commissioner Hamlin. The motion was seconded by Commissioner Tebelius and it carried unanimously.

With regard to line 82, Policy UD-49, Chair Laing said he would like to see non-motorized trails added to the list. The Commissioners agreed.

Chair Laing said he also would like to see a policy included that addresses operation and maintenance facilities. Mr. Inghram made note of the suggestion and proposed holding the issue in the wings for a few days to see how things play out.

****BREAK****

Mediation program manager Andrew Kidde said in the course of working to update the Citizen Engagement Element he reviewed the programs in place in other cities, but found that none of them have their participation elements front and center. He noted the name change from Citizen Participation Element to indicate more active involvement. The current element is very focused on planning and land use; while an important area for citizens to be engaged in, it is not the only one by any means. The desire is to have citizens engaged in everything the city does so the first section of the draft element maps out policies that are about the city as a whole.

Mr. Kidde said over the years he has found that many citizens do not know exactly what functions Bellevue plays. New Policy CE-1 is aimed at emphasizing the importance of informing Bellevue residents about the city's operations, budget allocations, services and policies. On the flip side, Policy CE-2 is focused on learning from residents through surveys and outreach about their perceptions of the city, its performance, budget priorities, taxation, and how the information is used to improve services to the community.

Continuing, Mr. Kidde explained that policies CE-3 through CE-6 all have an element of dealing with diversity. Citizen involvement is always complicated where there are wide diversities involved. Some of the issues have to do with access and the provision of translation and

interpretation services. The work to translate all city documents and to provide interpretation services at every city meeting in each of the myriads of languages spoken by Bellevue residents would clearly be cost prohibitive. There are, however, there are large groups of people speaking languages such as Korean, Chinese, Russian and Spanish and resources could be and often is focused on those groups.

A motion to extend the meeting by ten minutes was made by Commissioner Hamlin. The motion was seconded by Commissioner Tebelius and it carried unanimously.

Commissioner Hamlin said he had only a few suggested wording change to the policies and would provide them in writing to staff.

With regard to Policy CE-3, Commissioner Walter suggested changing "populations with limited English language ability" to "populations with limited language ability" in order to include sign language. She also proposed adding to Policy CE-5 all the school districts in Bellevue and Bellevue College. Chair Laing suggested a broad reference to educational organizations.

Commissioner Tebelius expressed the view that the current Citizen Participation Element is fine. She said she could see no reason to include the proposed new policies given that the focus of each is already encompassed in the existing policies. She indicated, however, that if the desire of the Commission is to include the new policies, she would want to take the time to focus on each one and seek an explanation of why each is needed.

Chair Laing suggested that several of the policies could be significantly shortened.

Mr. Kidde reiterated that the existing policies are primarily focused on planning and land use. There are in fact many other functions the city undertakes and as a result there are many other opportunities for citizen involvement. The city as a whole will benefit from policies that will guide behavior in terms of engaging the population. Mr. Inghram added that each of the new policies addresses a facet that is not addressed in the current policies.

Commissioner Tebelius asked if the staff would do any of what is outlined in the new policies if the new policies were not included in the element. Mr. Inghram said the city would still regulate development and build roads if there were no Comprehensive Plan policies in place. The argument can be made, however, that those actions can be carried out better and more efficiently because there are policies providing guidance.

8. OTHER BUSINESS - None
9. PUBLIC COMMENT - None
10. DRAFT MINUTES REVIEW

A. May 14, 2014

Commissioner Tebelius called attention to page 15 of the minutes and noted that the motion relative to the Bellevue Technology Center Comprehensive Plan amendment failed on a 2-2 vote without indicating which Commissioners voted for and which voted against. She said it was her recollection that she and Commissioner DeVadoss voted for the motion, and Commissioners Hamlin and Laing voted against the motion.

A motion to approve the minutes as amended was made by Commissioner Tebelius. The motion was seconded by Commissioner Hamlin and it carried without dissent; Commissioner Walter abstained from voting.

B. May 28, 2014

Commissioner Tebelius submitted to staff the comments she had made about retiring Commissioner Hal Ferris and asked to have them included in the minutes on page 5.

A motion to approve the minutes as amended was made by Commissioner Tebelius. The motion was seconded by Commissioner Hamlin and it carried without dissent; Commissioner Walter abstained from voting.

C. June 11, 2014

A motion to approve the minutes was made by Commissioner Tebelius. The motion was seconded by Commissioner Hamlin and it carried unanimously.

11. NEXT PLANNING COMMISSION MEETING

A. July 23, 2014

12. ADJOURNMENT

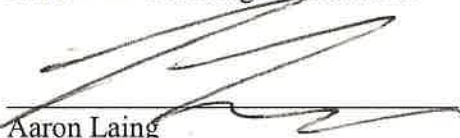
A motion to adjourn was made by Commissioner Tebelius. The motion was seconded by Commissioner Walter and it carried unanimously.

Chair Laing adjourned the meeting at 10:10 p.m.



Paul Inghram
Staff to the Planning Commission

1/14/15
Date



Aaron Laing
Chair of the Planning Commission

1/14/15
Date

* Approved with corrections November 12, 2014